Mr. M. Sivarama Menon *(Advocate-General)* : A Poll, Sir.

Ayes

Messrs. C. K. Nayar
P. Kumaran Ezhuthassan
K. Narayana Menon
K. Kunhirama Menon
Ephraim Ouseph
Joseph Pettah
K. S. Panikker
K. M. Ibrahim
Messrs. C. V. Iyyu
Thomas Karikkassery
K. R. Achyuthan
B. M. Peter
C. J. Luis
K. T. Achyuthan
P. K. Krishnan

Noes

Mrs. A. N. Menon
Messrs. A. Eachera Menon
P. V. Raphael
V. K. Aravindaksha Menon
Rao Sahib I. N. Menon
Rao Sahib Dr. T. Verghese
Mr. A. Madhava Prabhu
Rama Varmha Tampuran
Messrs. C. J. Mathew
B. V. K. Menon
M. Sivarama Menon
S. Venkiteswaran
Rao Sahib M. M. Paul
Khan Sahib Y. Mohamad Roshan Sahib Bahadur

Motion carried (15 for and 14 against)

Secretary to the Council : The title of the Bill is The Cochin Verumpattamdars Act (Amendment) Bill.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri)* : I move that this Bill be referred to a Select Committee consisting of Messrs. K. T. Achyuthan, Ephraim Ouseph, C. K. Nayar, T. S. Ranachandra Ayyar, A. Eachera Menon, Advocate-General, Diwan Peishkar and the mover.

Mr. T. S. Ramachandra Ayyar *(Chittur-Tattamangalam)*: I second it.

Motion put and carried

The Cochin Customary Verumpattamdars Bill—(Mr. C. V. Iyyu)

Mr. C. V. Iyyu *(Kunnamkulam)*: Sir, I move that the Cochin Customary Verumpattamdars Bill be read in Council.

Mr. K. T. Achyuthan *(Ezhuvas-Talappalli)* : I second it.

Mr. C. V. Iyyu *(Kunnamkulam)*: In moving this Bill I have to bring to the notice of this Hon'ble House that there are certain areas in the State, as I have mentioned in the State of Objects and Reasons, which were once ruled for decades by the Zamorin of Calicut and other Chieftains of Kerala who took by force some areas from our dear land and kept those in possession. These lands were returned as a result of the sitting of a Boundary Commission which sat about half a century back. These areas comprising practically one or two villages in the Talappalli Taluk, these kinds of land tenure do exist. We cannot have time to spend to find out the historical reasons for it. The land tenures of these areas are similar to those that exist in British Malabar. The Malabar Tenancy Act has given fixity to such tenures even now. There is no provision in our Tenancy Act of 1113 to include these tenures under that Act because it has not got all the qualities of a Kanam tenure. The main difference between the kanam tenure and this customary verumpattam tenure which is also known as "Patta Charthu" is that there is no Kanam amount but in most cases there is Michavaram. But in all cases there will be this customary renewal either at the end of the 12th year or some-times at the end of the 24th or 36th year. Generally almost all such tenures are renewed at the end of the 12th year. It has been for many decades past. The Zamorins of Calicut used to live very long. It is said that even now there exists no estimates or accounts for the Shastiabdapurthi of a Zamorin. It is said that even in our Royal Families no accounts exist till the Sashtiabhdapoorthi of the abdicated Maharaja because our rulers never used to live long and the Zamorins lived long. Generally a Zamorin used to rule only for a few years.

Mr. K. S. Panicker *(Ezhuvas-Mukundapurm)* : What has that to do with the Bill.

Mr. C. V. Iyyu *(Kunnamkulam)*: Now, Sir, I will come to the point. As soon as a Zamorin ascends the Musnad he assigns on such pattacharthu lands in the name of his wife or in the name of his sons or daughters-in-law or other dependants of his in a sort of Melpattam.

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Then another Zamorin will be coming and he will be giving another Melpattam. For most of these tenures there will be three or four melpattams to be paid up. The tenants are being harassed one way or the other and there is no proportion for the amount to be paid to the income, nor to the land revenue or to the amount of Michavaram. Since there is no kanam amount, you cannot have any basis for assessing the renewal fee. The result is that some tenants have to pay three years verumpattam, sometimes less sometimes more. So to give a sort of fixity of tenure and also to regularise the relations between the londlord and the tenant in these particular areas, I have brought this Bill. I tabled an amendment when the Verumpattamdars Act was under the consideration of shis House. The Hon'ble Advocate General then stated that since such a tenure has not got all the incidents of a verumpattam tenure and since he wanted to bestow more consideration as to under which category such a tenure will come, he suggested that a separate Bill may be introduced by me if I deemed it necessary to bring in such a Bill. I have considered this aspect of the question and I find that such an Act is necessary. Hence the necessity for the same. It is therefore urged that the Hon'ble Government and the Hon'ble Members of this House will agree to the provisions of this Bill and accept the same.

മിസ്റ്റർ കെ. എസ്സ്. പണിക്കർ : A point of information, Sir, ഇതു വെറുംപാട്ടക്കാക്കും മറേറതു തരത്തിലുള്ള പാട്ടക്കാക്കും ബാധകമല്ലേ ?

മിസ്റ്റർ എം. ശിവരാമമേനോൻ : ഒരു വിഷമമുണ്ട്. റന്യുവൽ ഫീ കൊടുക്കേണ്ടതുണ്ടല്ലൊ. അതുകൊണ്ടാണ് ഏതു തരത്തിലാണെന്ന് തീർച്ചയാക്കാതെയിരിക്കുന്നതു്. കാണമൊ വെറുമ്പാട്ടമൊ ഏതാണെന്ന് തെളിവെടുക്കേണ്ടതുണ്ട്. ചിലപ്പോൾ കാണമൊ ചിലപ്പോൾ വെറുമ്പാട്ടമൊ ആകാം. പൊളിച്ചെഴുത്തവകാശം വാങ്ങിക്കുന്നതു ഓരോരുത്തൻ ഓരോ തരത്തിലാണ്. അതിനാൽ എന്തൊക്കെയാണെന്നു നോക്കിയല്ലാതെ ഒന്നും ചെയ്യാൻ നിവൃത്തി ഇല്ല. അടുത്ത കാലത്തു തൃശ്ശിവപേരൂരിൽ ഒരു ജഡ്ഡിമെൻറിൽ സ്ഥിരാവകാശം കൊടുത്തിട്ടുണ്ടെന്നു മിസ്റ്റർ ഇയ്യു പറഞ്ഞു. ഏതായാലും ഇതു സെലക്ട് കമ്മിറ്റിക്കയയ്ക്കണം.

So far as this Bill moved by the Hon'ble Member for Kunnamkulam is concerned Government are adopting the same attitude that they adopted once before when the same motion was brought forward by him but in a different form. Government are at one with the Hon'ble Member in thinking that the Customary Verumpattamdars also should be given permanency of tenure. To that extent Government are prepared to accept the principles of the Bill. As to how it should be done or whether they are really verumpattamdars or whether they are really Kanamdars can be determined only after an examination of several documents and taking evidence in the matter. Without such an examination it is not possible to commit one way or the other. That is the position. The materials placed before me by Mr. Iyyu do not enable me to come to a definite finding. In the Judgment which he handed over to me Defendants 1 and 2 were mere Verumpattamdars and they are entitled to fixity. The question any how has to be examined in greater detail. Government are prepared to accept the principle that fixity should be given to such classes of tenants as well.

Mr. C. V. Iyyu *(Kunnamkulam):* Sir, since the principle of the Bill has been accepted, I shall not continue my discussion any further.

Motion that the Bill be read in the Council put and carried

Secretary to the Council : The title of the Bill is the Cochin Customary Verumpattamdars Bill.

Mr. C. V. Iyyu *(Kunnamkulam):* Sir, I move that the Bill be referred to a Select Committee consisting of the Advocate-General, the Diwan Peishkar, Messrs. K. Narayana Menon, A. T. Kunjipali, K. Ashtamoorthi Nambudiripad and the Mover.

Mr. K. M. Ibrahim *(Cranganur):* I second it.

Motion put and carried

The Cochin Agriculturists Relief Act (Amendment) Bill—

(Mr. P. Kumaran Ezhuthassan)

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri):* Sir, I move that the Cochin Agriculturists Relief Act Amendment Bill be read in Council.

Mr.. K. S. Panicker *(Ezhuvas-Mukundapuram) :* I second it.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri):* Is it to be opposed, please ?

Mr. A. Madhava Prabhu *(Diwan Peishkar) :* Yes.

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